

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

STEPHEN PULLENS,

Plaintiff,

vs.

AYAJ, et al.

Defendants.

8:21CV478

**MEMORANDUM
AND ORDER**

Plaintiff has filed yet another motion for reconsideration of the court's orders requiring him to pay a \$350.00 filing fee.

Payment of the filing fee is mandatory under the Prison Litigation Reform Act ("PLRA"), which provides in no uncertain terms that "the prisoner shall be required to pay the full amount of a filing fee." 28 U.S.C.A. § 1915(b)(1) (Westlaw 2022). A district court has no discretion to waive the fee payment requirement. It is also well-established in this circuit that "the PLRA makes prisoners responsible for their filing fees the moment the prisoner brings a civil action or files an appeal." *In re Tyler*, 110 F.3d 528, 529-30 (8th Cir. 1997).

Because Plaintiff has not demonstrated he is unable to pay the full amount of the filing fee at this time, this case will be dismissed without prejudice if a \$350.00 payment is not made by April 18, 2022, as previously ordered.

IT IS THEREFORE ORDERED that Plaintiff's motion for reconsideration (Filing 18) is denied.

Dated this 11th day of March 2022.

BY THE COURT:



Richard G. Kopf
Senior United States District Judge